IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 12949 of 2003

Between:

1 Ch. Ravinder Reddy, S/o. Sammireddy
2 H.A.P. Sastri S/o. Suryanarayana Sastry,
3 G. Atma Rao, S/o. Badraiah,
4 M. Satyanarayana, S/o. Rangaiah,
5 A. Chiranjeevulu, S/o. Narayana,
6 G. Venu Manohar Rao, S/o. Venkateshwar Rao
7 C. Raja Ratnam, S/o. Yakub,
8 P. Madhava, S/o. RAmanja Charyulu
9 B. Padma, D/o. Ramulu,
10 P. Venkata Mallaiah, S/o. Balaiah
11 K. Vimala Devi, D/o. Jagadeeshwar Rao
12 G. Raja Ramani, D/o. Jagannadham
13 R. Nagaiah, S/o. Naga Bhushanam,
14 C. Narsi Reddy, S/o. Chinna Raji Reddy
15 K. Ramaswamy, S/o. Raghunaikulu
16 D. Ravinder, S/o. Ramachandram
17 R. Hanumantha Rao S/o. Rama Rao
18 A. Mallaiah, S/o. Lachaiah,
19 M. Ratnamala, D/o. Laxmaiah
20 K. Swarupa Rani, D/o. Yadagiri,
21 V.V. Bharathi Devi, D/o. Prakasam
22 G. Krishna Murthy, s/o. Kantaiah
23 C. Kamalakar Reddy, S/o. Raji REddy
24 G. Venkata Charya, S/o. Narasimha Chary
25 B. Nathaniel, S/o. Mallaiah
26 K. Narasimha Murthy, S/o. Laxminarasimha Charya,
27 T. Suguna, D/o. Mallaiah,
28 V. Narayana Reddy S/o. Bal Reddy,
29 S. RAja Ratnam, S/o. Deva Sahayam
30 M. Jayanand, S/o. Prakash

31 K.M. Vimala, D/o. Mallesham,
32 T. Sukheshini RAni, D/o. Israel,
33 M. Vijayalatha, D/o. Devadas
34 P. Rose Christian, D/o. Christian
35 A. Savithri Devi, d/o. Venkata Narasimha Rao
36 M. Vishwanatha Sharma, S/o. Somaiah,
37 N. Bharathi, D/o. Balaiah,
38 B. Jaya Sheela, D/o. Ramaswamy
39 A.S.C. Swaroopa Rani, D/o. Alfred Veeraswamy
40 B. Esther, D/o. Nathaniel
41 J. Shara, D/o. J. Narasaiah
42 B. Roseleena, D/o. B. Nathan
43 K. Bhupal, S/o. K. Sattaiah ..... PETITIONERS

AND

1 The Govt. of A.P., Education Department, rep. by its Secretary,
Secretariat, Hyderabad.
2 The Commissioner & Director of School Education, A.P., Hyderabad.
3 The District Educational Officer, Warangal.
4 The Audit Officer, Local Fund, Warangal, Warangal District.
5 The Mandal Educational Officer, Jangoan, Warangal District.
6 The Secretary & Correspondent, A.B.V. High Schjool,
Jangoan, Warangal District.
7 The Secretary & Correspondent, A.B.V. Primary School,
Jangoan, Warangal District.
8 The Secretary & Correspondent, Preston Institute,
Jangoan, Warangal District.
9 The Secretary & Correspondent, Youvne Duglas High School,
Jangoan, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of Mandamus declaring that the petitioners are entitled for preserving of 30 days Earned Leave consequent on preventing them from availing of summer vacation during 1991 in connection with the Mid-term poll of house of Parliament of 1991 with all consequential benefits by holding the action of the respondents in not preserving the 30 days Earned Leave in pursuance of FR 82 (b) Subsidiary Rule (5) read with G.O.Ms.No.35 Education 16-1-1981 is as illegal, arbitrary, discriminatory and subversive of Articles 14, 16 and 21 of the Constitution.

Counsel for the Petitioner : Mr.A.TIRUPATHI GOUD

Counsel for Respondents : G.P. FOR SCHOOL EDUCATION

The Court made the following :

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ORDER:

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This writ petition is filed seeking Writ of Mandamus declaring the action of the respondents in not preserving and paying the petitioners the earned leave for 30 days for preventing the petitioners from availing the summer vacation of 1991 due to the election duty.

None appears for the petitioner.

The learned Government Pleader for School Education submits that the subject matter of this writ petition is squarely covered by the Division Bench judgment of this Court in W.P.No. 4765 of 2004 dated 6.7.2004, wherein the Division Bench dismissed the said writ petition filed in similar circumstances.

In view of the above, following the judgment passed in W.P.No. 4765 of 2004 dated 6.7.2004 and for the reasons mentioned therein, this writ petition is also dismissed. While communicating this order, a copy of the above judgment shall be enclosed.

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N.V.RAMANA, J

Date: 6.7.2005

DA/NSR

To

1 The Secretary, Govt. of A.P., Education Department,
Secretariat, Hyderabad.
2 The Commissioner & Director of School Education, A.P., Hyderabad.
3 The District Educational Officer, Warangal.
4 The Audit Officer, Local Fund, Warangal, Warangal District.

5 The Mandal Educational Officer, Jangoan, Warangal District.
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Jangoan, Warangal District.
9 The Secretary & Correspondent, Youvne Duglas High School,
Jangoan, Warangal District.

10 Two CCs to the G.P. for School Education, High Court Buildings, Hyderabad (OUT).

11 Two CD copies.